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UNCLAS GUATEMALA 002840

SIPDIS

SENSITIVE

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SUBJECT: GUATEMALA: UN OPEN TO PROPOSALS FOR AN ALTERED CICIACS

REF: A. GUATEMALA 1929 AND PREVIOUS

1B. GUATEMALA 2180

11. (U) Summary: Attorney General Juan Luis Florido met with UN/DPA representative Martha Doggett on October 28 to discuss his proposal for a new Special Prosecutor on Organized Crime and Clandestine Groups, designed to complement an eventual CICIACS. According to Doggett, who spoke to PolOff November 4, she referred Florido to other UN agencies for the type of technical assistance that he requested. The UN remains open to Guatemalan plans to redesign CICIACS to work within the confines of the Constitutional Court's August 6 ruling (Ref A). PolOff met with Frank LaRue, Chief of the President's Commission on Human Rights (COPREDEH) on November 5, who said that President Berger had authorized at least three Guatemalan institutions to develop alternative CICIACS proposals and that the President would choose the Executive's unified strategy from among these. End Summary.

12. (SBU) Attorney General Florido proposed to Doggett that the UN offer technical assistance to a new CICIACS-model Special Prosecutor's Office on Organized Crime and Clandestine Groups (note: the Public Ministry, i.e. Attorney General's Office, already has one office specifically dedicated to organized crime). When asked how this new unit would differ from other existing units on human rights, corruption, and organized crime, Florido stated that it would investigate clandestine groups. To Doggett, Florido did not clearly distinguish between the existing entities in the Ministry and his proposal. Florido clarified to Doggett that he intended this assistance to eventually complement a redesigned CICIACS, not replace it, since CICIACS itself would take at least several years to negotiate and establish. He made no proposed changes to CICIACS itself.

13. (U) Doggett told Florido that several UN bodies with specific expertise offer technical assistance, including the UNDP, UNODC (Office on Drugs and Crime), and UNHCHR. She recommended that he speak further directly with these agencies about his idea. (Comment: DPA was originally designated to handle the UN negotiations on CICIACS because it oversees MINUGUA, but Doggett told PolOff that her office could not work on other technical projects.)

14. (SBU) The agreement between the UN and GOG to establish CICIACS will expire at the end of 2004. In addition to Florido's proposal, the head of SAE (Secretariat of Strategic Analysis) called DPA and said that he had been tasked with redrafting CICIACS. Overall, Doggett expressed confusion about who in the Government was in charge of CICIACS and frustration that, while Berger has expressed determination in several meetings with the UN to redesign CICIACS following the Court's decision, the Executive has not yet returned with a plan. However, she tempered her frustration with the assertion that the UN would still be interested, at the political level, when the GOG did present a unified proposal.

15. (SBU) On November 5, head of COPREDEH, Frank LaRue, told PolOff that Florido's proposal to the UN was his alone and did not represent the Executive's position. According to LaRue, Berger has authorized at least three agencies, including the Public Ministry, SAE, and COPREDEH, to develop new strategies for CICIACS. Berger plans to evaluate the proposals in December. LaRue will propose a Guatemalan Special Prosecutor who works within the Public Ministry, but is supported by international staff.

16. (SBU) Comment: The UN can easily extend the deadline for CICIACS before year's-end or reopen it in 2005. Even more, they're willing to do so if the Berger Administration continues to demonstrate determination to create CICIACS and presents a well thought-out and cohesive strategy for revising the proposal.

HAMILTON